# MANAGING TRANSITIONS

WITHIN DIVISION/INSTALLATION

### TERMINAL LEARNING OBJECTIVE

- <u>ACTION:</u> DETERMINE THE CORRECT COURSE OF ACTION FOR TRANSITION ACTIONS.
- CONDITIONS: GIVEN SEVERAL TRANSITIONAL ACTIONS DEALING WITH ENLISTED AND OFFICER PERSONNEL, AR 635-200 & AR 600-8-24.
- STANDARDS: CITE THE REGULATORY CRITERIA WHICH APPLY TO EACH COA IAW AR 635-200 & AR 600-8-24.

### **ADMINISTRATIVE INFORMATION**

- REFERENCES: AR 600-8-24 & AR 635-200
- OTEST INFO: OPEN BOOK, M/C 1.5 HRS
- PERIOD 1
  - PURPOSE
  - CURTAILMENTS
- OPERIOD 2
  - TYPES
  - PROGRAMS
  - DISCHARGES/CHARACTER OF SVC

# TRANSITIONS <u>ADMINISTRATIVE INFORMATION</u>

#### • PERIOD 3

- ENLISTED SEPARATIONS
- PE
- REVIEW

#### **PURPOSE**

- **PROMOTE READINESS**
- PROVIDE MECHANISM TO TERMINATE SVC PRIOR TO TERM OF CONTRACT
- TRANSFER FROM ONE SVC TO ANOTHER
- OBLIGATION

  OBLIGATION
- STRENGTHEN CONCEPT CALLING DIFFERENT FROM CIVILIAN OCCUPATION

# TRANSITIONS STANDARDS OF SUPPORT

The President or Congress declares a state on national emergency or WAR and extends of service

The Secretary of the Army (SA) curtails voluntary and involuntary transfer and discharge authority

### **SERVICE OBLIGATIONS**

#### STATUORY MILITARY SERVICE OBLIGATION

	(MSO)		
BEFORE	1	<b>IUN 84</b>	6
YEARS AFTER			8
YEARS AT LIX			

VS ACTIVE DUTY SERVICE OBLIGATION (ADSO)

### **CURTAILMENTS**

#### **DISCHARGE:**

A COMPLETE SERVERANCE OF MILITARY STATUS GAINED BY ENLISTMENT CONCERNED

DISMISSAL
ELIMINATION
MANDATORY RETIREMENTS
SEPARATION
TRANSFER

# TRANSITIONS TYPES

- RELEASE FROM ACTIVE DUTY(REFRAD)
- RESIGNATION
- OFFICER ELIMINATIONS
- MISCELLANEOUS TYPES OF SEPARATIONS
- RETIREMENT

# TRANSITIONS REFRAD

#### **O VOLUNTARY**

- PERSONAL REASONS
- EXPIRATION OF AD COMMITMENT
- HARDSHIP
- ESSENTIAL TO NATIONAL INTEREST
- PREGNANCY
- ATTEND SCHOOL (NON- MISSION CRITICAL)
- ASSIGNED TO MED HOLD DETACHMENT

### **REFRAD**

#### INVOLUNTARY

- DECLINATION OF RA INTEGRATION
- MAXIMUM AGE
- MAXIMUM SERVICE
- NONSELECTION OF VI STATUS
- REVOCATION OF VI STATUS
- DAADB
- TERMINATION OF RESERVE APPTS OF STUDENT OFF & WO ATTEND BR ORIENT OR WOBC

### **RESIGNATIONS**

- 90 DAYS ON AD
- **OEXCEPTIONS** 
  - Action Pending may result in For Good of Svc
  - Officer under a suspension of favorable actions
  - Officer pending investigation or under charges

### **RESIGNATIONS**

OFFICERS AND WARRANT OFFICERS



### **RESIGNATIONS**

- **UNQUALIFIED RESIGNATION**
- QUALIFIED RESIGNATION
  - PREGNANCY
  - FOR GOOD OF SVC IN LIEU OF GCM
  - FOR GOOD OF SVC HOMOSEXUAL CONDUCT

### **OFFICER**

- O SUBSTANDARE FERFORMANCE OF DUTY
  - DOWNWARD TREND
  - FAILURE TO KEEP PACE OR PROGRESS
  - APATHY, DEFECTIVE ATTITUDE, OR CHARACTER DISORDER
  - FAILURE TO EXERCISE NECESSARY LEADERSHIP
  - FAILURE OF A COURSE AT A SVC SCHOOL FOR ACADEMIC REASONS
  - HIV+ W/IN 180 DAYS OF ORIG APPT

### **OFFICER**

- OMISCONDUCT, MUKAL, OR PROFESSIONAL DERELICTION
  - PERSONAL FINANCES OR AFFAIRS
  - MISMANAGEMENT OF PERSONAL AFFAIRS
  - ACTS OF PERSONAL MISCONDUCT
  - HOMOSEXUAL CONDUCT
  - INTENTIONAL NEGLECT OF OR FAILURE TO PERFORM DUTIES
  - CONDUCT UNBECOMING AN OFFICER

# TRANSITIONS OFFICER ELIMINATIONS

### DEROGATORY INFORMATION

- PUNISHMENT UNDER UCMJ, ARTICLE 15
- CONVICTION BY COURT-MARTIAL
- SECURITY CLEARANCE DENIAL
- RELIEF FOR CAUSE OER
- FAILURE OF A COURSE AT A SVC SCHOOL

### RIGHTS OF SVC MEMBER

- **CONSULT WITH CONSULTING COUNSEL**
- O SUBMIT STATEMENTS ON HIS/HER BEHALF
- OBTAIN COPIES OF DOCUMENTS SUPPORTING SEPARATION
- PRESENT CASE UNDER ADMIN BOARD PROCEDURE
- **WAIVE THE ABOVE RIGHTS IN WRITING**

# TRANSITIONS ELIMINATION ACTION PROCESSING

STEP 1
IDENTIFICATIO
BY
FIELD CMD
OR
ANNUAL/SPECIAL
SCREENING



STEP 2
HEARING
BY
BOARD

OF INQUIRY



REVIEW BY BO OI

BY BOARD OF REVIEW & SEC ARMY



ELIMINATION AND

### MISCELLANEOUS SEPARATIONS

- **2X NON-SELECT FOR ADL PROMO**
- **O 1LT & CW2 NON-SELECT FOR PROMO**
- ODFR
  - AWOL 3 MONTHS
  - NOT ENTITLED RETIREMENT PAY &
     SENTENCED TO STATE/FED PEN
- ODISMISSAL DUE TO GCM (OFFICER ONLY)

### RETIREMENT

- **OTHREE TYPES:** 
  - VOLUNTARY
  - MANDATORY (MAX AGE & MAX SVC)
  - SERB (INVOLUNTARY)
- 20 YEARS AFS
- **O10 YEARS ACS RETIRE AS OFFICER**

### **RETIREMENT**

**OTO RETIRE IN RANK:** 

OFF-SERVE ON AD IN GRADE 6

WO - SERVE ON AD IN GRADE 3 YRS

**ENL - SERVE ON AD IN GRADE 1 DAY** 

- **ORETIREMENT LIST**
- OAFTER 30YRS HIGHEST RANK HELD

# TRANSITIONS RETIREMENT

### **ORETIREMENT REQUESTS:**

	<u>MAX</u>	<u>MIN</u>
ENLISTED	12 MONTHS	2 MONTHS
OFFICER	12 MONTHS	4 MONTHS

#### **OMED EXAM:**

**NLT 1 MONTH PRIOR & NET 4 MONTHS** 

PRIOR

### ENLISTED SEPARATIONS

#### **GENERAL:**

- CONSIDERATIONS FOR SEPARATION
- CONSIDERATIONS FOR PROMOTIONS

#### **COUNSELING**

REHABILITATION

**RETENTION AFTER ETS** 

TIME LOST TO BE MADE GOOD

### TIME LOST

- DESERTION
- O ABSENCE W/O PROPER AUTHORITY
- CONFINEMENT UNDER SENTENCE
- CONFINEMENT AWAITING TRIAL
- **OINTEMPERATE USE OF DRUGS**
- ODISEASE OR INJURY DUE TO MISCONDUCT

# TRANSITIONS ENLISTED (AR 635-

- CHAPTER 4 EXPIRATION OF 200 IGATION
- CHAPTER 5 CONVENIENCE OF THE GOVERNMENT
- CHAPTER 6 DEPENDENCY OR HARDSHIP
- CHAPTER 7 DEFECTIVE ENLISTMENTS/

REENLISTMENTS AND

#### **EXTENSIONS**

- CHAPTER 8 PREGNANCY
- CHAPTER 9 ALCOHOL OR OTHER DRUG ABUSE REHAB

**FAILURE** 

### ENLISTED (AR 635-

- $\circ$  CHAPTER 10 IN LIEU OF 200 BY COURT-MARTIAL
- CHAPTER 11 ENTRY LEVEL STATUS PERFORMANCE AND CONDUCT
- CHAPTER 12 RETIREMENT
- CHAPTER 13 UNSAT ISFACTORY PERFORMANCE
- O CHAPTER 14 MISCONDUCT
- CHAPTER 15 HOMOSEXUAL CONDUCT
- CHAPTER 16 SELECTED CHANGES IN SVC OBLIGATIONS

# RETIREMENT FOR LENGTH OF

- SERVICE OBLECTION
  - NORMALLY MUST FULFILL ADSO
  - OCONUS (UNACCOMP) 5/6 TOUR OR 12 MONTHS
  - OCONUS (ACCOMP) 5/6 OR 12 MONTHS (DEP)
- **OIN LIEU OF PCS**
- RETIRE ALWAYS ON 1ST DAY OF MONTH

### **DISCHARGES/CHARACTER OF**

- O HONORABLE SVC
- O GENERAL (UNDER HONORABLE CONDITIONS)
  - UNDER OTHER THAN HONORABLE CONDITIONS
  - BAD CONDUCT
    - SPECIAL & GENERAL COURT-MARTIAL
  - **DISHONORABLE** 
    - GENERAL COURT-MARTIAL
  - UNCHARACTERIZED/ENTRY LEVEL

# QUESTIONS????

### **CHAPTER 6: DEPENDENCY OR**

- OREASONS FEARESHERTION
  - DEPENDENCY
  - HARDSHIP
    - PARENTHOOD OF MARRIED SERVICE WOMAN
    - SOLE PARENTS

### CHARACTERIZATION OF SERVICE

- ENTRY LEVEL STATUS (IF MEMBER IS IN ENTRY LEVEL STATUS)
- HONORABLE
- UNDER HONORABLE CONDITIONS

### **DEPENDENCY**

EXITS WHEN DEATH OR DISABILITY OF A MEMBER OF THE SOLDIER'S (OR SPOUSE'S) IMMEDIATE FAMILY CAUSES THAT MEMBER TO RELY UPON THE SOLDIER FOR PRINCIPAL CARE OR SUPPORT.

### **HARDSHIP**

EXITS WHEN IN CIRCUMSTANCES NOT INVOLVING DEATH OR DISABILITY OF A MEMBER OF THE SOLDIER'S (OR SPOUSE'S) IMMEDIATE FAMILY, SEPARATION FROM THE SERVICE WILL MATERIALLY AFFECT THE CARE OR SUPPORT OF THE FAMILY

# CHAPTER 6 CRITERIA

- CONDITIONS HAVE RISEN SINCE ENTRY ON AD/ADT
- CONDITIONS ARE NOT OF A TEMPORARY NATURE
- **EVERY REASONABLE EFFORT HAS BEEN MADE**
- SEPARATION WILL MATERIALLY ALLEVIATE THE CONDITIONS

CHAPTER 6

# EVIDENCE REQUIRED AS A MINIMUM

- PERSONAL REQUEST FOR SEPARATION
- O AFFIDAVIT OR STATEMENT BY OR ON BEHALF OF THE MEMBERS DEPENDENTS
- AFFIDAVITS BY AT LEAST TWO AGENCIES
   OR INDIVIDUALS

CHAPTER 6

### **ADDITIONAL INFORMATION**

- DETAILED FINANCIAL STATEMENT
- DEATH CERTIFICATE
- PHYSICIAN'S CERTIFICATE
- NAMES AND ADDRESSES OF OTHER MEMBERS OF THE FAMILY

# TRANSITIONS CHAPTER 10 LARGE IN LIEU OF TRIAL B

### DISCHARGE IN LIEU OF TRIAL BY COURT MARTIAL

- REASONS FOR SEPARATION
  - MEMBER COMMITTED AN OFFENSE, AND PUNISHMENT INCLUDES BAD CONDUCT OR DISHONORABLE DISCHARGE
  - MEMBER MAY SUBMIT REQUEST FOR DISCHARGE FOR THE GOOD OF THE SERVICE
- CHARACTERIZATION OF SERVICE
  - OTHER THAN HONORABLE DISCHARGE
  - GENERAL DISCHARGE (DIRECTED BY SEPARATION AUTHORITY IF MERITED BY MEMBER'S RECORD DURING CURRENT ENLISTMENT)

# TRANSITIONS CHAPTER 11 ENTRY LEVEL PERFORMANCE & CONDUCT

- O REASONS TO BE PRAYS CAD OR ADT
  - INABILITY
  - LACK OF REASONABLE EFFORT
  - FAILURE TO ADAPT TO THE MILITARY ENVIRONMENT
  - MINOR DISCIPLINARY INFRACTIONS
- CHARACTERIZATION OF SERVICE
  - UNCHARACTERIZED

# TRANSITIONS CHAPTER 13

# SEPARATION FOR UNSATISFACTORY PERFORMANCE

#### REASONS FOR SEPARATION

- MEMBER WILL NOT DEVELOP SUFFICIENTLY TO PARTICIPATE SATISFACTORILY IN FURTHER TRAINING
- MEMBER'S RETENTION WOULD HAVE AN ADVERSE IMPACT ON MILITARY DISCIPLINE, GOOD ORDER, AND MORALE
- MEMBER WILL BE A DISRUPTIVE INFLUENCE IN PRESENT OR FUTURE DUTY ASSIGNMENTS.
- ABILITY OF THE MEMBER TO PERFORM DUTIES EFFECTIVELY IN THE FUTURE IS UNLIKELY.

# TRANSITIONS CHAPTER 13 SEPARATION FOR UNSATISFACTORY PERFORMANCE

#### **CHARACTERIZATION OF SERVICE**

- HONORABLE
- UNDER HONORABLE CONDITIONS

# CHAPTER 14 MISCONDUCT

#### **PREASONS TO SEPARATE**

- FAILURE TO REHABILITATE OR DEVELOP SM AS A SATISFACTORY SOLDIER
- MEMBER IS NOT AMENABLE TO REHABILITATION, AS INDICATED BY MEDICAL OR PERSONAL HISTORY RECORD
- AN UNFIT MEDICAL CONDITION IS NOT THE DIRECT OR SUBSTANTIAL CONTRIBUTING CAUSE FOR HIS/HER CONDUCT

# CHAPTER 14 MISCONDUCT

- **OACTS OR PATTERNS OF MISCONDUCT** 
  - MINOR DISCIPLINARY INFRACTIONS
  - PATTERN OF MISCONDUCT CONSISTING OF . . .
    - DISCREDITABLE INVOLVEMENT WITH CIVIL OR MILITARY AUTHORITIES
    - CONDUCT PREJUDICIAL TO GOOD ORDER AND DISCIPLINE
  - COMMISSION OF A SERIOUS OFFENSE
  - ABUSE OF ILLEGAL DRUGS

# TRANSITIONS CHAPTER 14 MISCONDUCT

#### **CHARACTERIZATION OF SERVICE**

- UNDER OTHER THAN HONORABLE
- **GENERAL DISCHARGE** (MAY BE GRANTED BY SEPARATION AUTHORITY IF SUCH IS MERITED BY MEMBER'S OVERALL RECORD)
- HONORABLE (DIRECTED ONLY BY THE GENERAL COURT-MARTIAL APPROVING AUTHORITY IN CASES OF EXTREMELY MERITORIOUS RECORD AND WHERE MEMBER HAS COMPETED ENTRY LEVEL STATUS)

# RETIREMENT FOR LENGTH OF

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